

Amendment No. 1 to HB1948

Curcio  
Signature of Sponsor

**AMEND Senate Bill No. 1992**

**House Bill No. 1948\***

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 24, Chapter 7, is amended by adding the following language as a new section:

(a) Any evidence obtained by interception of or access to a communication or by surveillance in an illegal manner by the party seeking to introduce such evidence is inadmissible in a civil proceeding. Upon motion of a party, the court shall determine whether the evidence clearly and convincingly demonstrates that the evidence sought to be introduced was obtained in an illegal manner.

(b) Notwithstanding subsection (a), in a proceeding involving child custody, the court may allow the evidence to be admitted if the court finds that the probative value of the evidence outweighs the danger of unfair prejudice and consideration of the evidence is in the best interest of the child.

(c) As used in this section, "illegal manner" means a manner that is in violation of § 39-14-405; title 39, chapter 13, part 6; or title 40, chapter 6, part 3.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it, and is repealed on July 1, 2025.